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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,993	07/11/2003	Shannon Cassell	086168-0303987	2776
909	7590	03/28/2005	EXAMINER	
PILLSBURY WINTHROP, LLP			PHAM, LAM P	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2636	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/616,993

Applicant(s)

CASELL ET AL.

Examiner

Lam P Pham

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/8/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-9, 14 rejected under 35 U.S.C. 102(e) as being anticipated by **Matsuda et al.** (US 6499550).

**Regards claim 7**, Matsuda disclose a vehicle having a display device, comprising:

- a vehicle body;
- an operator seat (11) carried on the body;
- an engine (3) supported by the body configured for driving the vehicle;
- an electronic control unit (not shown) connected to the engine; and
- a display device (10) connected to the electronic control unit and positioned within visual proximity to the operator seat, wherein the display device includes at least one gauge (tachometer) that displays a sensed condition of the vehicle, a casing that houses the at least one gauge, a window on the casing over the gauge, and a display frame (9) removably coupled to the casing as seen in Figures 1-9; col. 2, lines 32-67 and col. 3, lines 1-42.

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**Regards claim 8**, Matsuda disclose the at least one gauge one gauge includes a plurality of gauges (tachometer, oil temperature, LCD) arranged as a cluster and wherein the casing houses the cluster of gauges as seen in Figure 4; col. 3, 6-10 and 22-32.

**Regards claim 9**, Matsuda disclose the at least one gauge comprises an analog dial gauge (tachometer 44) and an LCD display (10b) as seen in Figure 4; col. 3, lines 6-10.

**Regards claim 14**, Matsuda disclose the window is sealed onto the casing for protecting against rains and moisture as seen in Figure 4.

3. Claim 15 rejected under 35 U.S.C. 102(e) as being anticipated by Hsu (US 2002/0085709 A1).

**Regards claim 15**, Hsu discloses a frame (casing 5) for use on a display device (display of a phone) comprising an annular member (62, 61) formed of plastic and having a generally L-shaped cross sectional configuration with two legs (8), wherein each leg removably engages an edge of the display device as seen in Figures 2-5; [0016] to [0018].

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-6, 10-13 rejected under 35 U.S.C. 103(a) as being unpatentable over **Matsuda et al.** (US 6499550).

**Regards claim 1**, Matsuda disclose a display device (10) comprising:

A casing (see Figure 6);

At least one gauge disposed in the casing (see Figure 4);

A window (10a) on the casing over the at least one gauge (see Figure 6); and

A frame (9) removably attached to the casing; see Figures 1-9; col. 2, lines 53-67; col. 3, lines 1-

However, Matsuda fail to specifically disclose a connector port supported by the casing and connected to the at least one gauge.

It would have been obvious to one of ordinary skilled in the art of automobile to realize that there must exist at least one connector port supported by the casing for feeding sensed conditions of a vehicle to the gauges for display.

**Regards claim 2**, Matsuda disclose the frame made of synthetic resin (plastic) and fail to disclose the frame (9) is formed of flexible plastic. However, it would have been obvious to one of ordinary skilled in the art to form a frame flexible plastic with sufficient strength for support the display.

**Regards claim 3**, Matsuda fail to disclose the frame has a generally L-shaped cross-section. Whether the general cross-section having a L-shape, C-shape, square-shape or other shapes is depending on upon the display structure as well as design choice, thus, it would have been obvious to one of ordinary skilled in the art to design the frame having a L-shaped cross-section.

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**Regards claim 4,** Matsuda disclose the at least one gauge comprises a plurality of gauges (tachometer 44, oil temperature gauge and LCD 10b) arranged as a cluster as seen in Figure 4; col. 3, lines 6-10 and 22-33.

**Regards claim 5,** Matsuda disclose the at least one gauge comprises an analog dial gauge (tachometer 44) and an LCD display (10b) as seen in Figure 4; col. 3, lines 6-10.

**Regards claim 6,** Matsuda disclose the window is sealed onto the casing for protecting against rains and moisture as seen in Figure 4.

**Regards claim 10,** Matsuda fail to disclose the seat is a straddle type seat. However, it would have been obvious to one of ordinary skilled in the art to realize that if the detachable frame would be used in a watercraft's display, the seat of the vehicle would be a straddle type seat.

**Regards claim 11,** Matsuda fail to disclose the vehicle body comprises a hull. However, it would have been obvious to one of ordinary skilled in the art to realize that if the detachable frame would be used in a watercraft's display, the vehicle body would comprises a hull.

**Regards claim 12,** Matsuda disclose the frame is made out of synthetic resin (plastic) and fail to disclose the frame is an annular plastic member. Whether the frame is an annular plastic member or synthetic resin of rectangular or square or circular shape is an obvious choice of design as long as the frame fit easily into the display's casing upon mounting.

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**Regards claim 13**, Matsuda fail to disclose the frame has a generally L-shaped cross-section. Whether the general cross-section having a L-shape, C-shape, square-shape or other shapes is depending on upon the display structure as well as design choice, thus, it would have been obvious to one of ordinary skilled in the art to design the frame having a L-shaped cross-section with hooks or bolts or screws at each edge.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dannenberg et al. (US 6053043) disclose a turn lock bezel for gauge extraction and retention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lam P Pham whose telephone number is 571-272-2977. The examiner can normally be reached on 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery A Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lam Pham  
March 16, 2005.



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